

CNR No. DLNE01-003997-2019
SC No. 373/2019
State Vs. Majhar Khan @ Sonu & Anr.
FIR No. 100/2019
PS: Crime Branch

11.03.2022

Present: Sh. R. K. Satyarthi, Ld. Addl. PP for the State.
Both accused are produced from J/C.
Sh. Shailendra Singh, Ld. Counsel for both accused.
IO SI Abdul Barkat, ASI Satender Malik, Ct. Shani
Rathi and HC Raj Kumar C Malik are present.

ASI Satender Malik is examined, cross examined as
PW-2 and discharged.

Ct. Shani Rathi is examined in chief as PW-3. His
cross is deferred to be conducted after examination of PW-1 HC
Nityanand as prayed.

PW-1 HC Nityanand is further examined, partly
cross examined till 03:10 pm and remaining cross examination is
deferred as prayed jointly as Ld. PP has to go to his office for
miscellaneous work.

HC Nityanand filed reply to the show cause notice
giving reasons for his non appearance yesterday. The reply was
to be filed through DCP concerned.

It is replied that he was not aware that he was bound
down for 10.03.2022 on earlier date of hearing and he did not
receive any summon so could not appear on 10.03.2022.

HC Raj Kumar C Malik has produced case property
before this Court today and he has appeared in civil cloth.

Vide order dated 25.02.2022, the facts were brought into the notice of Ld. Commissioner of Police, Delhi in respect of non compliance of the orders of Hon'ble Supreme Court of India passed in case of Union of India Vs Mohan Lal & Ors (2016) 3 SCC 379 to take appropriate action.

No report is received apprising the Court about the action being taken for non compliance of the orders of the Hon'ble Supreme Court of India from the office of Ld. Commissioner of Police, either on 10.03.2022 or today.

Let details of the police officials who were/are responsible for compliance of the directions of the Court in respect of provisions of Section 52 A NDPS Act including the details of officers holding post in supervisory capacity from the date of registration of the case till date, be provided to the Court within two weeks, so that appropriate action may be taken by this Court as per law.

Put up on **06.05.2022** for remaining PE. Witnesses be summoned for next date of hearing.

(SUNIL CHAUDHARY)
Special Judge (NDPS)/ASJ
North East/ Delhi 11.03.2022